

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICARDO CRUZ,

Plaintiff,

v.

FORD MOTOR COMPANY,

Defendant.

No. 1:23-cv-00799-KES-SKO

ORDER ENTERING JUDGMENT AGAINST
DEFENDANT FORD MOTOR COMPANY
AND SETTING FILING DEADLINE FOR
PLAINTIFF'S MOTION FOR ATTORNEYS'
FEES AND COSTS

(Doc. 16)

On March 15, 2024, Plaintiff Ricardo Cruz filed a notice of acceptance of Defendant's Federal Rule of Civil Procedure 68 offer of judgment. (Doc. 16.)

Under Federal Rule of Civil Procedure 68(a), a defendant may serve an offer to allow judgment on specified terms to the opposing party at least two weeks before trial. Fed. R. Civ. P. 68(a). Any acceptance by the opposing party of the offer must be made through written notice. *Id.* Thereafter, "either party may then file the offer and notice of acceptance, plus proof of service." *Id.*

Here, Defendant Ford Motor Company served Plaintiff with a Rule 68 offer of judgment on March 5, 2024, in the amount of \$199,438.05, less any remaining loan balance on Plaintiff's 2017 Ford F-250, VIN 1FT7W2BT6HEF39379 ("Subject Vehicle"). As part of the offer, Plaintiff was to surrender the Subject Vehicle within 30 days of Plaintiff's acceptance of the offer. The offer also provided for reasonable attorneys' fees and costs in the amount of \$8,500.00

1 or in an amount to be determined by the Court. (Doc. 16 at 4-5.) Plaintiff accepted the offer in
2 writing on March 14, 2024. (*Id.* at 2.) Plaintiff now requests that judgment be entered in favor of
3 Plaintiff and against Defendant Ford Motor Company in the sum of \$199,438.05. (*Id.*) By not
4 accepting the offer of \$8,500.00 of attorneys' fees and costs, Plaintiff reserved the matter of
5 reasonable attorneys' fees and costs, to be determined by the Court on motion. (*Id.* at 2, 5.)
6 Defendant also reserved the right to oppose Plaintiff's motion for attorneys' fees and costs. (*Id.*
7 at 5.)

8 Accordingly,

- 9 1. The Clerk of the Court is directed to enter judgment in favor of Plaintiff Ricardo
10 Cruz and against Defendant Ford Motor Company in the amount of \$199,438.05,
11 plus reasonable attorneys' fees and costs (Doc. 16);
- 12 2. A stipulation or Plaintiff's motion for attorneys' fees and costs shall be filed within
13 60 days of the date of this order; and
- 14 3. Defendant's opposition, or statement of non-opposition, to any motion for
15 attorneys' fees and costs, shall be filed in compliance with Local Rule 230.

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18 IT IS SO ORDERED.

19 Dated: March 26, 2024

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UNITED STATES DISTRICT JUDGE